

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

September 26, 1997

DIVISION ONE

B101777 Wong, et al.
 v.
 Richard, et al.

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment.)

DIVISION TWO

Court convened at 9:15 A.M.

Present: Boren, P.J., Fukuto, J., Nott, J., Zebrowski, J., Ito, J. (Assigned), and G. Villanueva, Deputy Clerk.

B101459 Sunseri
 v.
 Macro Cellular Partners

Merits:
Argued by Richard Driscoll for appellant and by Jeffrey Cowan for respondent. Cause submitted.

B093616 Georgantones
 v.
 Auspitz

Merits:
Argued by Morris Getzels for appellant and no appearance on behalf of respondent. Cause submitted.

DIVISION TWO (Continued)

B098947 Hsu
 v.
 Parks

Appearances:

Leslie Sherman for appellant and King-Shen Hsu respondent in propria persona. Argument waived, cause submitted.

B108259 People
 v.
 Womach

Merits:

Argued by Christine Shaver for appellant and by Suzann Papagoda, Deputy Attorney General for respondent. Cause submitted.

B089930 Kish
 v.
 Prince Towing

Merits:

Argued by Kurt Kananen for appellant and by Joseph Mascovich for respondent. Cause submitted.

B109198 People
 v.
 Mamone

Merits:

Argued by Richard Lennon for appellant and by Lauren Dana, Deputy Attorney General for appellant. Cause submitted.

DIVISION TWO (Continued)

B100871 Depass
 v.
 Motors Insurance

Merits:
Argued by Frank Sanes for appellant and by Barry Schirm for respondent.
Cause submitted.

B108322 Mueller
 v.
 St. Joseph Medical Center

Merits:
Argued by Richard Seff for appellant and by Robert Dato and Sandra Smith
for respondent. Cause submitted.

B104331 Industrial Asphalt
 v.
 Moorefield Construction

Appearances:
James Lipschultz for respondent and no appearance on behalf of appellant.
Argument waived, cause submitted.

B987465 Brutoco Development
 v.
 City of West Covina

Merits:
Argued by Roger Grable for appellant and no appearance on behalf of
respondent. Cause submitted.

Mr. Justice Zebrowski and Mr. Pro Tem Justice Ito leave the bench.

September 26, 1997-Continued

DIVISION TWO (Continued)

B084112 Dominguez Energy
v.
Shell Oil Company

Merits:

Argued by Ronald Olson for appellant and by Maureen Bright for respondents. Cause submitted.

Court adjourned.

DIVISION FOUR

B104512 People (Not for Publication)
v.
Ware

The judgment is affirmed.

Epstein, J.

We concur: Vogel (C.S.), P.J.
Baron, J.

B102886	People v. Olivas
B113118	In re Jaime Olivas on Habeas Corpus

Filed order modifying opinion. (No change in the judgment.)

B103022 Estate of Marcos
Hilao
v.
Silverman

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment.)

September 26, 1997-Continued

DIVISION FIVE (Continued)

B105633 People (Not for Publication)
v.
David Lee Kelly

The abstract of judgment is ordered modified to state that appellant was convicted on Count II in violation of Health and Safety Code section 11351, that the imposition of sentence on Count II was stayed pursuant to Penal Code section 654, and that the stay will become permanent upon completion of the sentence imposed for Count I. The judgment as modified is affirmed.

Godoy Perez, J.

We concur: Turner, P.J.
 Armstrong, J.

B104447 Robert O. McMaster
v.
Franchise Tax Board

Filed order denying petition for rehearing.

B110179 G. Balasubramani
v.
Merrill Lynch Pierce Fenner & Smith, Inc.

Filed order denying petition for rehearing.

DIVISION SIX

Crim. People (Not For Publication)
No. vs.
B105518 Zizumbo

Filed order modifying opinion and denying rehearing. No change in judgment.